

AUG 15 2007

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

v.

CHRISTOPHER KENDELL RUSH

CR. NO. 2:07-CR-178-WKW

[18 USC 922(g)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about April 24, 2007, in Montgomery County, within the Middle District of Alabama,

CHRISTOPHER KENDELL RUSH,

defendant herein, having been convicted of felony offenses, crimes punishable by imprisonment for
a term exceeding one year under the laws of the State of Alabama, to-wit:

- 1) September 5, 1995 - Kidnaping 2nd degree, in the Circuit Court of Montgomery County, Alabama, case number 95-1051;
- 2) September 5, 1995 - Theft of Property 1st degree, in the Circuit Court of Montgomery County, Alabama, case number 95-1050;

did knowingly possess in and affecting commerce a firearm, to-wit: a Rossi, Model M68 .38 caliber revolver, a better description of which is unknown to the grand jury. All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 2

On or about April 24, 2007, in Montgomery County, within the Middle District of Alabama,

CHRISTOPHER KENDELL RUSH,

defendant herein, having been convicted of felony offenses, crimes punishable by imprisonment for

a term exceeding one year under the laws of the State of Alabama, to-wit:

- 1) September 5, 1995 - Kidnaping 2nd degree, in the Circuit Court of Montgomery County, Alabama, case number 95-1051;
- 2) September 5, 1995 - Theft of Property 1st degree, in the Circuit Court of Montgomery County, Alabama, case number 95-1050;

did knowingly possess in and affecting commerce ammunition, to-wit: twelve (12) live rounds of .38 caliber ammunition, a better description of which is unknown to the grand jury. All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Counts 1 and 2 of this indictment and hereby repeated and incorporated herein by reference.

B. Upon any conviction for the violations of Title 18, United States Code, Section 922(g)(1), as alleged in Counts 1 and 2 of this indictment, the defendant,

CHRISTOPHER KENDELL RUSH,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

a Rossi, Model M68 .38 caliber Revolver;

12 live rounds of .38 caliber ammunition;

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;

(3) has been placed beyond the jurisdiction of the court;

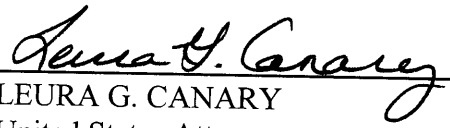
(4) has been substantially diminished in value; or,

(5) has been commingled with other property which cannot be divided without difficulty; the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the property described in paragraph B above.

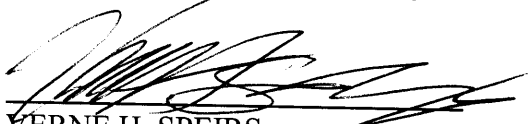
All in violation of Title 18, United States Code, Section 922.

A TRUE BILL:


Foreperson


LEURA G. CANARY
United States Attorney


JOHN T. HARMON
Assistant United States Attorney


VERNE H. SPEIRS
Assistant United States Attorney